

From: Mia, Marcia

Sent: Wednesday, May 16, 2018 05:12 PM

To: Ursula Guzman

CC: Kaleri, Cynthia; Larson, Darrin; Hambrick, Amy; Marsh, Karen

Subject: RE: Technical Assistance: 0000a

Hi Ursula,

Thanks for your questions. Here is some guidance, in red, which I hope is helpful.

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I attended the EPA Inspector Training Workshop via webinar last week and had a few questions about the 90-day stay and two year stay.

I have an oil and gas well site facility that submitted a deviation indicating failure to meet the standard and recordkeeping requirements of 60.5393a (b)(2) for pneumatic pumps from February 15, 2017 - July 31, 2017. The reason was regulatory uncertainty due to the regulatory stay. For the review of this facility and others in the future:

What does a stay do for a regulated entity? A "stay" is a legal mechanism to "halt" the requirements of a rule. During a stay, a source does not have to comply the requirements of the rule which are stayed.

Did a two year stay become effective? No.

What is the start date that a pneumatic pump affected facility should be in compliance with 0000a requirements. November 20, 2016 or startup, whichever is later.

Since the 90-day stay was effective June 2, 2017 - August 31, 2017, would the entity's deviation actually be from February 15, 2017 - June 1, 2017 instead of being through July 31, 2017? The 90 day stay was vacated, so it in essence never happened. No compliance periods were altered.

If you have a moment to discuss this topic, I'd appreciate a phone call or email back at your convenience.

Marcia B Mia, Acting Chief

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From: Ursula Guzman [mailto:Ursula.Guzman@Tceq.Texas.Gov]

Sent: Monday, May 14, 2018 12:15 PM  
To: Mia, Marcia <Mia.Marcia@epa.gov>  
Subject: Technical Assistance: 0000a

Hi Ms. Marcia,

I attended the EPA Inspector Training Workshop via webinar last week and had a few questions about the 90-day stay and two year stay.

I have an oil and gas well site facility that submitted a deviation indicating failure to meet the standard and recordkeeping requirements of 60.5393a (b) (2) for pneumatic pumps from February 15, 2017 - July 31, 2017. The reason was regulatory uncertainty due to the regulatory stay. For the review of this facility and others in the future:

What does a stay do for a regulated entity?

Did a two year stay become effective?

What is the start date that a pneumatic pump affected facility should be in compliance with 0000a requirements.

Since the 90-day stay was effective June 2, 2017 - August 31, 2017, would the entity's deviation actually be from February 15, 2017 - June 1, 2017 instead of being through July 31, 2017?

If you have a moment to discuss this topic, I'd appreciate a phone call or email back at your convenience.

Best Regards,

Ursula Guzman

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